

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

THOMAS A LITTEK,  
Plaintiff,

v.

JACK LEE, et al.,  
Defendant(s).

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Civil Action No. 7:14-cv-00489

MEMORANDUM OPINION

By: Jackson L. Kiser  
Senior United States District Judge

Thomas A. Littek, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By Order entered December 3, 2014, the court directed plaintiff to submit within 10 days from the date of the Order an amended complaint, which must be a new pleading that stands by itself without reference to a complaint, attachments, or amendments already filed. Plaintiff's filings to date will not be considered by the court and should not be referenced by plaintiff in the proposed amended complaint. The court requires plaintiff's proposed amended complaint to conform to the joinder rules and to Federal Rules of Civil Procedure, which require "a short and plain statement of the claim showing that the pleader is entitled to relief" to be set out in numbered paragraphs, each limited to a single set of circumstances. The court will review the proposed amended complaint upon its filing to determine whether the court shall accept it under Rule 15 of the Federal Rules of Civil Procedure. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 10 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying  
Order to plaintiff.

ENTER: This 5<sup>th</sup> day of January, 2015.

  
Senior United States District Judge